

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Jared Goyette,
*On behalf of himself and other
similarly situated individuals,*

Court File No. _____

Plaintiff,

v.

**MOTION FOR A TEMPORARY
RESTRAINING ORDER**

City of Minneapolis; Minneapolis
Chief of Police Medaria Arradondo *in
his individual and official capacity*;
Minneapolis Police Lieutenant Robert
Kroll, *in his individual and official
capacity*; Minnesota Department of
Public Safety Commissioner John
Harrington, *in his individual and
official capacity*; Minnesota State
Patrol Colonel Matthew Langer, *in his
individual and official capacity*; and
John Does 1-2, *in their individual and
official capacities*.

Defendants.

Plaintiff Jared Goyette, on behalf of himself and a class of individuals similarly situated (“Class Members”), hereby moves for a temporary restraining order (“TRO”). This motion is based on Fed. R. Civ. P. 65, 42 U.S.C. § 1983, and the First, Fourth, and Fourteenth Amendments to the United States Constitution, and is supported by the accompanying Memorandum of Law, Declaration and Affidavit of Jared Goyette in Support of Motion for Temporary Restraining Order, and

Declaration of Isabella Nascimento in Support of Motion for Temporary Restraining Order.

Plaintiffs specifically seek an order enjoining Defendants and their agents, servants, employees, and representatives from:

- A. Use of chemical agents on a Class Member, including but not limited to mace/oleoresin capsicum spray or mist/pepper spray/pepper gas, tear gas, skunk, inert smoke, pepper pellets, xylol bromide, and similar substances, where the Class Member has identified themselves as a member of the news media or it is reasonably clear that the individual is engaged in news gathering activities.
- B. Use of physical force against a Class Member, including through the use of flash bang grenades, non-lethal projectiles, riot batons, or any other means, where the Class Member has identified themselves as a member of the news media or it is reasonably clear that the individual is engaged in news gathering activities.
- C. The arrest, detention, or taking into custody of any Class Member, where the Class Member has identified themselves as a member of the news media or it is reasonably clear that the

individual is engaged in news gathering activities, except as justified by the presence of probable cause for arrest.

- D. The use of threatening language or gestures to harass or intimidate a Class Member, where the Class Member has identified themselves as a member of the news media or it is reasonably clear that the individual is engaged in news gathering activities.

The requested prohibitions would not apply to situations where Class Members present an imminent threat of violence or bodily harm to persons or damage to property.

The materials submitted in support of this motion demonstrate a threat of irreparable harm to Plaintiff and the Class Members, that the balance of this harm against the harm that the TRO will inflict on other parties weighs in favor of granting the TRO, that Plaintiff and the Class Members are likely to succeed on the merits, and that the public interest favors issuing a TRO.

Dated: June 2, 2020

/s/ Kevin C. Riach

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